

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

In the Matter of

HELIO ROCHA-GOMES  
(DHS # A79-811-140)

Case No. MC07-5014FDB

**ORDER GRANTING  
EMERGENCY EX PARTE MOTION  
TO PROVIDE INVOLUNTARY  
MEDICAL CARE, NUTRITION  
AND HYDRATION FOR INMATE**

The Department of Homeland Security, U.S. Immigration and Customs Enforcement (“ICE”) having filed an ex parte motion for an order permitting it to pursue involuntary medication, feeding and hydration of Helio Rocha-Gomes, DHS # A79-811-140, who is currently incarcerated as a civil detainee at the ICE Northwest Detention Center in Tacoma, Washington; and the Court having reviewed the Declaration of Philip Farabaugh, M.D., and the ICE incident report filed with the motion; and the Court finding that there is sufficient cause to believe that without the requested medical testing and treatment, Mr. Rocha is in danger of irreparable injury, and possible death; and the Court concluding that ICE has an affirmative duty to care for and treat inmates in its custody; and the Court concluding it has inherent authority to issue an Order permitting ICE to carry out its affirmative duty, which includes provision of involuntary medication and forced feeding and hydration through a nasogastric tube or intravenously,

IT IS HEREBY ORDERED that ICE may undertake the necessary medical procedures and provide involuntary medication, nutrition and hydration described herein and in the moving papers.

1 IT IS FURTHER ORDERED that ICE provide a copy of this Order to Mr. Rocha forthwith. IT  
2 IS FURTHER ORDERED that the Clerk send a copy of this Order to counsel of record.

3 DATED this 25<sup>th</sup> day of May, 2007.  
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9 FRANKLIN D. BURGESS  
10 UNITED STATES DISTRICT JUDGE

11 Presented by:

12 JEFFREY C. SULLIVAN  
13 United States Attorney  
14 Western District of Washington  
15 by

16 /s/ Christopher L. Pickrell

17 CHRISTOPHER L. PICKRELL  
18 WSBA # 12787  
19 Assistant United States Attorney  
20 700 Stewart Street, Suite 5220  
21 Seattle, WA 98101-1271  
22 Tel 206-553-4088; Fax 206-553-4067  
23 E-mail chris.pickrell@usdoj.gov  
24 Attorney for ICE  
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26  
27  
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